

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

MICK BIRD and SANDRA BIRD,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	
ASSET ACCEPTANCE, LLC,)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Asset Acceptance, LLC (“Asset” or “Defendant”) hereby files its Notice of Removal of the above-captioned case to this Court and, in support of removal, respectfully states as follows:

1. Asset is named as defendant in Civil Action No. 15AB-AC00377 filed in the Circuit Court of Franklin County, Missouri, styled Mick Bird and Sandra Bird v. Asset Acceptance, LLC (the “State Court Action”).

2. The Petition in the State Court Action was filed with the Clerk of the Circuit Court of Franklin County on or about February 11, 2015. Pursuant to 28 U.S.C. § 1446(a), copies of all process, pleadings and orders served upon Defendant in the State Court Action are attached hereto as **Exhibit A**.

3. In the State Court Action, Plaintiffs allege that Defendant violated a federal statute, the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, et seq. (“FDCPA”).

4. Any civil action is removable if the plaintiff could have originally brought the action in federal court. See 28 U.S.C. § 1441(a).

5. Under 28 U.S.C. § 1331 this Court has original federal question jurisdiction over Plaintiffs’ FDCPA claim.

6. Accordingly, pursuant to 28 U.S.C. § 1441, Defendant has the right to remove the State Court Action to this Court, without regard to the citizenship or residency of the parties or the amount in controversy.

7. Defendant was formally served with the Summons and Petition on March 6, 2015. This removal is therefore timely pursuant to 28 U.S.C. § 1446(b).

8. By this Notice of Removal, Defendant does not waive any defense, jurisdictional or otherwise, which it may possess. Defendant also does not concede that Plaintiffs have stated a claim against it.

WHEREFORE, in accordance with the authorities set forth above, Defendant hereby removes this action from the Circuit Court of Franklin County, Missouri, to the United States District Court for the Eastern District of Missouri.

DATED this 2nd day of April, 2015.

Respectfully submitted,

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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically with the United States District Court for the Eastern District of Missouri, Eastern Division, this 2nd day of April, 2015, with a true copy mailed, first class postage prepaid, to:

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Attorneys for Plaintiffs

/s/ Joshua C. Dickinson